

A11
Cont

47. (once amended) A pharmaceutical composition of claim 45 wherein the weight ratio of olanzapine to Drug Useful in the Treatment of Pain is about one (1) part olanzapine to about one (1) to about ten (10) parts Drug Useful in the Treatment of Pain.

48. (once amended) A pharmaceutical composition of claim 45 wherein the weight ratio of olanzapine to Drug Useful in the Treatment of Pain is about one (1) part olanzapine to about one (1) to about three (3) parts Drug Useful in the Treatment of Pain.

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61. (once amended) A pharmaceutical composition of claim 60 wherein the serotonin reuptake inhibitor is fluoxetine, or a pharmaceutically acceptable salt thereof.

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70. (once amended) A pharmaceutical composition in unit dose form comprising olanzapine or a pharmaceutically acceptable salt or solvate thereof; and a Drug selected from the group consisting of Tylenol #3, tricyclic antidepressants (for example desipramine, imipramine, amitriptyline, nortriptyline), anticonvulsants (for example, carbamazepine, gabapentine, valproate), serotonin reuptake inhibitors (for example, fluoxetine, paroxetine, citalopram, sertraline), mixed serotonin-norepinephrine reuptake inhibitors (for example venlafaxine, duloxetine), serotonin receptor agonists and antagonists, cholinergic (muscarinic and nicotinic) analgesics, and neurokinin antagonists wherein the weight ratio of olanzapine to [compound] Drug is about one (1) part olanzapine to about one (1) to about ten (10) parts [compound] Drug.

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82. (once amended) A pharmaceutical composition in unit dose form of claim 81 wherein the serotonin reuptake inhibitor is fluoxetine, or a pharmaceutically acceptable salt thereof.

REMARKS

Attached herewith, pursuant to 37 C.F.R. § 1.173(c), is a chart, at Appendix A, providing the status of all patent claims and of all added claims. Further included in the chart, pursuant to 37 C.F.R. § 1.173(c), is an indication of the passages in the originally filed application where, at the very least, the claims find support. In addition, a clean set of all pending claims, original and added, are provided for the convenience of the Examiner at Appendix B.

An explanation of the above amendments to claims 46, 47, 48, 61, 70, and 82 which were added in the Applicant's first preliminary amendment filed August 22, 2001 is as follows:

In claim 46, the phrase "one (1) to about" has been added so that the intended range for the Drug Useful in the Treatment of Pain is included which is one (1) to about thirty (30) parts Drug Useful in the Treatment of Pain. Support in the specification for this addition can

be found, for example at column 2, lines 1-4 which describe an especially preferred ratio of about one part olanzapine (1) to from about one (1) to about thirty (30) parts Drug Useful in the Treatment of Pain.

In claim 47, the phrase “one (1) to about” has been added so that the intended range for the Drug Useful in the Treatment of Pain is included which is one (1) to about ten (10) parts Drug Useful in the Treatment of Pain. Support in the specification for this addition can be found, for example at column 2, lines 4-6 which describe a further preferred ratio which may be about one part olanzapine to from about one (1) to about ten (10) parts Drug useful in the Treatment of Pain.

In claim 48, the phrase “one (1) to about” has been added so that the intended range for the Drug Useful in the Treatment of Pain is included which is one (1) to about three (3) parts Drug Useful in the Treatment of Pain. Support in the specification for this addition can be found, for example at column 2, lines 6-8 which describe a final preferred ratio which may be about one (1) part olanzapine to about one (1) to about three (3) parts Drug Useful in the Treatment of Pain.

In claim 61, the phrase “or a pharmaceutically acceptable salt thereof” has been added. Support in the specification for this addition can be found, for example at column 5, lines 4-6 which discloses that the term “Drug Useful in the Treatment of Pain” includes a pharmaceutically acceptable salt thereof.

In claim 70, the word “compound” has been replaced with the word “Drug” in two places at the end of the claim in order to comply with antecedant basis wherein the word “Drug” and not “compound” is used earlier in the claim.

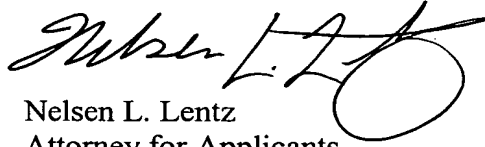
In claim 82, the phrase “or a pharmaceutically acceptable salt thereof” has been added. Support in the specification for this addition can be found, for example at column 5, lines 4-6 which discloses that the term “Drug Useful in the Treatment of Pain” includes a pharmaceutically acceptable salt thereof. Fluoxetine is described in column 5, line 21 as falling within the term “Drug Useful in the Treatment of Pain”.

It is respectfully submitted that entry of the amendments submitted herewith introduce no new matter to the reissue application.

It is respectfully submitted that the reissue application is now in order for allowance.

Docket No. X-10576A

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nelsen L. Lentz", with a large, stylized loop at the end.

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September 19, 2001